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SUBJECT: PM DISCUSSES INTEL CHIEF'S RETURN TO IRAQ,
SECURITY TRANSFER WITH AMBASSADOR

Classified By: Ambassador Zalmay Khalilzad for reasons 1.4 (b) and (d).

¶1. (C) Summary: Prime Minister Nouri al-Maliki agreed to take steps that would allow Iraqi intelligence chief Mohammed al-Shahwani to return to Iraq without fear of arrest because of an indictment based on debunked charges. MNF-I CG Casey expressed concern with the PM about accelerating the transfer of authority of security in three provinces where militias have substantial influence over police. The PM reiterated his understanding that Coalition Forces would remain close by in case they need to intervene. End Summary.

Intelligence Chief's Possible Return

¶2. (S) The Ambassador expressed separate concern to PM about the situation involving Iraqi National Intelligence Service (INIS) chief Mohammed Abdullah al-Shahwani, who is staying outside the country due to fallacious charges against him. The Ambassador underscored that the charges have no merit and described the situation as having a negative impact on the INIS. The judge responsible for the case reportedly planned to interview and immediately arrest Shahwani if he returns to the country. The motive would be to use Shahwani's detention to negotiate favorable outcomes in other cases. The Ambassador asked the PM to ensure al-Shahwani was able to return to Iraq without fear of arrest. If the PM planned to replace Shahwani during the process, the Ambassador asked that this be done in an honest and straightforward manner, preferably to include allowing Shahwani to serve three more months in government until he is able to retire.

¶3. (S) PM Maliki replied that he had reviewed Shahwani's file and seen no evidence to indicate Shahwani should be indicted or detained. In order to ensure no questions with regard to judicial independence, he said he had referred the file to the Higher Judicial Council for review. Given the lack of evidence, he expressed confidence that Shahwani would be able to return to Iraq and that the judicial process through its channels would ensure justice and that Shahwani was not detained or tried. The PM committed to ask the Higher Judicial Council president to interview the judge in the case to ensure the process is honest. PM Maliki encouraged Shahwani to return to Iraq as soon as possible.

CG Casey: Concerns about PIC

¶4. (S) MNF-I CG Casey told the Prime Minister that he wanted to cover three points before the Amman meeting. First, he remained committed to the acceleration of Iraqi control over security and the building of the Iraqi armed forces. He felt

uncomfortable, however, with upcoming transfers of Provincial Iraqi Control (PIC) in the provinces of Maysan, Wasit, and Qadisiyah, where there is clear militia influence with the police. Without recourse in dealing with the militias in these provinces, the entire process for the transfer of authority could become unhinged. The Prime Minister underscored that it remained his understanding while Coalition Forces would be redeploying from the frontlines during the process, they would remain close to intervene if necessary. CG Casey emphasized that the transfer of forces to Iraqi control is linked to reconciliation; a delay could put those efforts at risk.

KHALILZAD